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Date: July 22, 2004

Must Be Sent By:

To: Examiner Angel

Fax No: 571-273-0756

Company: USPTO

Phone No:

From: Robert M. Bedgood, Ph.D.

Phone No: (858) 509-4065

User No: 14660

C/M No: 087102-0272558

## Comments:

Enclosed are copies of Declaration originally filed on 7/10/2002 and accompanying documents.

If you have any questions, please feel free to call me at 858-509-4065.

## Confidentiality Note:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE AUG 16 2004

Applicants: REED, et al.

Serial No.: 10/071,174

Filing Date: February 7, 2002

For: APOPTOSIS MODULATOR  
BCL-B AND METHODS FOR  
MAKING AND USING SAME

) Certificate of Mailing Under 37 CFR §1.8

) I hereby certify that on the date indicated below, this  
) paper and the attached papers are being delivered via  
) U.S. First Class Mail, postage pre-paid addressed to:

) Assistant Commissioner for Patents  
) Washington, DC 20231, on this date

)   
) Karyn F. Massie

) 7/10/02  
) Date

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TRANSMITTAL LETTER

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing are the following:

1. Filing Completion Under Rule 53(f);
2. Declaration of Inventorship;
3. Assignment Coversheet;
4. Assignment;
5. Power of Attorney of Assignee;
6. Statement Under 37 CFR 3.73(b);
7. Copy of Notice of Missing Parts; and
8. Return Postcard.

The Commissioner is hereby authorized to charge any fee, including any submitted herewith, if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire

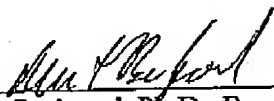
Page 2

pendency to or to credit any overpayment to Deposit Account 03-3975.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Date: July 10, 2002

By   
Robert M. Bedgood, M.D., Reg. No. 43,488

11682 El Camino Real, Suite 200  
San Diego, CA 92130-2593  
Facsimile: (858) 509-4010  
Direct Line: (858) 509-4065

## Certificate of Mailing Under 37 C.F.R. §1.10

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being mailed via "First Class Mail" service of the United States Postal Service on the date shown below in an envelope addressed to the Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Washington D.C. 20231.

Dated: July 10, 2002

By: Karyn F. Massie  
Karyn F. Massie

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## FILING COMPLETION UNDER RULE 53(f)

( NOT PCT Applications)  
For Design, Provisional, or Utility ApplicationsPATENT  
APPLICATIONCOMPLETION Under  
Rule 53(f)In re PATENT APPLICATION of

Attn: Application Division

Inventor(s): John C. REED; Ning KE; and Adam GODZIK

Appln. No.: 10	071,174	Atty.Dkt. P	087102/272558	
Series Code 0	Serial No. 0		MM	Client Ref

Filed: February 7, 2002

Title: APOPTOSIS MODULATOR BCL-B AND METHODS FOR MAKING AND USING SAME

Hon. Commissioner of Patents  
Washington, DC 20231

Date: July 10, 2002

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. Notice to File Missing Parts ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or

"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☒ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 53 Declaration.
3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
- a. ☐ Abstract
- b. #          pages of Specification (only spec. & claims)
- c. ☐ Drawing(s)          No of Sheets
- ☐ Fig(s).
4. ☐ Letter filing formal drawing attached.
5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(a)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/267,166	February 7, 2001	(2)	
(3)		(4)	

- 7.
- FOREIGN
- priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	

Completion Under Rule 53(f)

9. (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) \_\_\_\_\_  
in U.S. Application No. \_\_\_\_\_ filed on \_\_\_\_\_
10. Small Entity Status ☐ is Not claimed ☒ is claimed (file PAT-256 if this is the first claim of Small Entity Status)
11. ☐ Attached:
12. ☐ Please see the attached Preliminary Amendment which reduces the number of claims for purposes of reducing the initial filing fee.

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY  
CHANGED BY PRELIMINARY AMENDMENT PER ITEM 12 ABOVE**

		Large/Small Entity	Fee Code
13. Basic Filing Fee . . . . . Design Application		\$330/\$165	106/26
Not Design Application		\$740/\$370	101/201
14. Total Effective Claims	minus 20 =	x \$18/\$9	103/203
15. Independent Claims	minus 3 =	x \$84/\$42	102/202
16. If any proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)		\$280/\$140	104/204
17. Surcharge for filing Declaration/filing fee late		\$130/\$65	105/205
18.		FILING FEE =	\$65
19. Original due date: June 3, 2002			
20. Petition is hereby made to extend the original due date to		(1 mo) \$110/\$55 =	115/215
cover the date this response is filed for which the requisite fee		(2mos) \$400/\$200 =	116/216
is attached		(3mos) \$920/\$460 =	117/217
		(4mos) \$1,440/\$720 =	118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee . . . . .		\$130	139
22. If "assignment" box 5 is X'd, add recording fee. . . . .		\$40	581
23. Petition Fee for		\$130	
24.		TOTAL FEE =	\$305
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Our Deposit Account No. 03-3975

Our Order No.

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**Pillsbury Winthrop LLP  
Intellectual Property Group**

11682 El Camino Real, Suite 200  
San Diego, CA 92130-2593  
Tel: (619) 234-5000

By Atty: Robert M. Bedgood, Ph.D.

Reg. No. 43,488

Sig:

Fax: (858) 509-4010

Tel: (858) 509-4065

Atty/Sec: RMB/kfm

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments

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Dated: July 10, 2002

By: *Karyn F. Massie*  
Karyn F. Massie

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## FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)  
For Design, Provisional, or Utility Applications

PATENT  
APPLICATIONCOMPLETION Under  
Rule 53(f)

In re PATENT APPLICATION of

Attn: Application Division

Inventor(s): John C. REED; Ning KE; and Adam GODZIK

Appln. No.: 10 071,174  
Series Code 1 Serial No. 1Atty.Dkt. P 087102/272558  
M# Client Ref

Filed: February 7, 2002

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Hon. Commissioner of Patents  
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1. Notice to File Missing Parts ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or"X" box 2B only if none of the top three boxes of the Declaration is X'd.)2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.2B. ☒ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

- 3.
- ☐
- Specification originally filed in non-English language; hence verified translation attached of:

a. ☐ Abstractb. #            pages of Specification (only spec. & claims)c. ☐ Drawing(s)

No of Sheets

☐ Fig(s).

- 4.
- ☐
- Letter filing
- formal
- drawing attached.

- 5.
- ☒
- Attached is an assignment and cover sheet.
- Please return the recorded assignment
- to the undersigned.

- 6.
- DOMESTIC/INTERNATIONAL
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11. ☐ Attached:
12. ☐ Please see the attached Preliminary Amendment which reduces the number of claims for purposes of reducing the initial filing fee.

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CHANGED BY PRELIMINARY AMENDMENT PER ITEM 12 ABOVE**

				Large/Small Entity		Fee Code
13. Basic Filing Fee .....				Design Application Not Design Application		106/28 101/201
14. Total Effective Claims		minus 20 =		x \$18/\$9	+0	103/203
15. Independent Claims		minus 3 =		x \$84/\$42	+0	102/202
16. If any proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)				\$280/\$140	+0	104/204
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+65	105/205
18. FILING FEE =				\$65		
19. Original due date: June 3, 2002						
20. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached				(1 mo) \$110/\$55 = (2mos) \$400/\$200 = (3mos) \$920/\$460 = (4mos) \$1,440/\$720 =	+200	115/215 116/216 117/217 118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee .....				\$130	+0	139
22. If "assignment" box 5 is X'd, add recording fee .....				\$40	+40	581
23. Petition Fee for				\$130	+0	
24. TOTAL FEE =				\$305		

FEE ENCLOSED

Our Deposit Account No. 03-3976

Our Order No. 087102

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Pillsbury Winthrop LLP  
Intellectual Property Group

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By Atty: Robert M. Bedgood, Ph.D./

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